

manager nor railroad company or corporation, or person owning or operating the same shall be liable for damages in any court; and the passenger so refusing to occupy the car, coach or compartment to which he or she may be assigned by the conductor or manager shall be deemed guilty of a misdemeanor, and, on indictment and conviction thereof, shall be fined not less than five dollars nor more than fifty dollars, or be confined in jail not less than thirty days, or both, in the discretion of the court, for each offense.

An. Code, sec. 391. 1904, sec. 350. 1904, ch. 109, sec. 5.

436. Any conductor or manager on any railroad who shall fail or refuse to perform the duties imposed upon him by section 435 shall be deemed guilty of a misdemeanor, and, upon indictment and conviction thereof, shall be fined not less than twenty-five dollars and not more than fifty dollars for each offense.

An. Code, sec. 392. 1904, sec. 351. 1904, ch. 109, sec. 6. 1908, ch. 292.

437. The following words contained in Section 432, to wit: "and each compartment of a car or coach divided by a good substantial partition, by a door or place of exit from each division shall be deemed a separate car or coach within the meaning of this section," shall not apply to the counties of Prince George's, Charles, St. Mary's, Calvert and Anne Arundel, so that in said counties there shall be separate cars or coaches for the travel and transportation of the white and colored passengers on the respective lines of railroad, and a car divided by a compartment shall not be deemed a separate car or coach within the meaning of this section, but a combination car, not over one-third of which is used for baggage or mail, for the purposes of this section shall be deemed a separate car, and each separate car or coach shall have in some conspicuous place, both outside and inside, appropriate words and plain letters indicating whether it is set apart for white or colored passengers; provided, this section shall not apply to trains making no scheduled intermediate service stops between their termini.

An. Code, sec. 393. 1904, sec. 352. 1904, ch. 109, sec. 7.

438. The provisions of the six preceding sections shall not apply to employes of railroads, or to persons employed as nurses, or to officers in charge of prisoners, whether the said prisoners are white or colored, or both white and colored, or to the prisoners in their custody, nor shall the same apply to the transportation of passengers in any caboose car attached to a freight train, nor to parlor nor sleeping cars, nor through express trains that do no local business.

An. Code, sec. 394. 1904, sec. 353. 1904, ch. 110, sec. 1.

439. It shall be the duty of any captain, purser or other officer in command of any steamboat carrying passengers and plying in the waters within the jurisdiction of the State of Maryland to assign white and colored passengers on said boats to the respective locations they are to occupy as passengers while on said boat; and it shall be the duty of said captain,